

**New York State Department of Environmental Conservation
Division of Water , Region 3**

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Joe Martens
Commissioner

NOTICE OF VIOLATION

December 23, 2013

Mayor and Village Board
Village of Kiryas Joel
P.O. Box 566
Monroe, New York 10949

**Re: Village of Kiryas Joel, Municipal Separate Storm Water System (MS-4)
SPDES No: GP-0-10-001, SPDES ID: NYR20A496**

Dear Mayor and Village Board:

An inspection of the construction site on Meron Drive was performed on December 23, 2013 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity. At the time of inspection it appeared that site disturbance has resulted in greater than one acre of disturbance. Construction projects which result in site disturbances of one or more acres are required to gain coverage under, and comply with, this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001). Our records do not indicate that this project has gained coverage under that General Permit.

As a SPDES GP-0-10-002 regulated municipality, the Village is responsible for the development and implementation of your local law regarding construction, and for the routine site inspections of construction projects regulated by the local law. Proper enforcement of local law is a vital part of the MS4 program.

The Village is in violation of GP-0-10-002 and Article 17 of the Environmental Conservation Law for lack of implementation of Minimum Measure Four of SPDES GP-0-10-002. Article 17 violations are subject to penalties of up to \$37,500 per violation, per day. The Department anticipates your compliance with the requirements of the MS-4 program, which we will take into consideration before making a final determination regarding appropriate enforcement action for the violations.

If you have questions or comments, I can be reached at (914) 428-2505, ext. 359.

Sincerely

Patrick Ferracane
Division of Water

cc: Jennifer Zunino-Smith, NYSDEC, Division of Water